S.B.Cr.Misc. Bail App. No.5140/2007

(Sunil Kumar & Anr. Vs. State of Rajasthan)

Date of order : November 19, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.N.L.Joshi, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by learned counsel for the petitioners that in all four persons were found carrying poppy straw in different bags each containing 6 kgs. of poppy straw, which is less than the commercial quantity but slightly higher than the small quantity.

Having considered the totality of facts and circumstances of the case and the fact that each of the petitioners was in possession of 6 kgs. of poppy straw, without commenting on the merit of the case, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Sunil Kumar s/o Mehar Chand and Mukesh Kumar s/o Kamal Prasad be released on bail in FIR No.158/2007, P.S. Hamirbas provided each of them furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-